

U.S. Department of Justice

Executive Office for United States Attorneys

---

# The Attorney General's Advisory Committee of United States Attorneys Annual Report 1992



COMPLETED

SC

1

# **The Attorney General's Advisory Committee of United States Attorneys Annual Report 1992**



Published by the  
Executive Office for United States Attorneys

**ATTORNEY GENERAL'S ADVISORY COMMITTEE  
OF UNITED STATES ATTORNEYS**

**1992**



**William P. Barr**  
Attorney General



**George J. Terwilliger, III**  
Deputy Attorney General



**Wayne A. Budd**  
Associate Attorney General

**CHAIRMAN**

J. William Roberts,  
Central District of Illinois

**CHAIRMAN-ELECT**

Thomas W. Corbett, Jr.,  
Western District of Pennsylvania

**VICE-CHAIRMAN**

Mike McKay,  
Western District of Washington

**MEMBERS**

Linda Akers,  
District of Arizona  
Michael M. Baylson,  
Eastern District of Pennsylvania  
Jean Paul Bradshaw,  
Western District of Missouri  
Michael W. Carey,  
Southern District of West Virginia  
Michael Chertoff,  
District of New Jersey  
Marvin Collins,  
Northern District of Texas  
Richard Cullen,  
Eastern District of Virginia  
Jeffrey R. Howard,  
District of New Hampshire  
David Jordan,  
District of Utah  
Otto G. Obermaier,  
Southern District of New York  
Gene W. Shepard,  
Southern District of Iowa  
Robert Q. Whitwell,  
Northern District of Mississippi  
Jay B. Stephens,  
District of Columbia, ex officio  
Joseph M. Whittle,  
Western District of Kentucky, ex officio

BLANK PAGE



U.S. Department of Justice

Executive Office for United States Attorneys

Attorney General's Advisory Committee  
of United States Attorneys

Room 1619  
10th & Constitution Avenue, N.W.  
Washington, D.C. 20530

December 15, 1992

TO THE HONORABLE WILLIAM P. BARR  
ATTORNEY GENERAL OF THE UNITED STATES

*I am pleased to submit to you the 1992 Annual Report of the Attorney General's Advisory Committee of United States Attorneys.*

*This has been a very exciting year for us, and we believe that we have made substantial contributions to the overall well-being of the Department of Justice. Our accomplishments speak for themselves. At the same time they serve to reinforce my belief that the United States Attorneys' collective ability to target, to raise and to resolve issues that impact on the Department of Justice and the United States Attorneys is unbeatable. As priorities change we have been asked to take up new and stimulating challenges. This we have done.*

*One of my personal goals as chairman of this Committee has been to encourage and maintain a two-way flow of communication between the United States Attorneys and our colleagues in other Department components of the Department of Justice. I believe we have met this goal. Cooperation and communication are at an all time high -- we are "speaking with one voice." As this report reflects, we have worked very closely with the Department this year, enjoying productive working relationships with the Assistant Attorneys General and other key Department officials and staff.*

*United States Attorneys are at the core of the Federal legal system and as the nation's chief law enforcement officers we have a duty to ensure that effective law enforcement is carried out. We take great pride in the work of the Committee, and we thank you as the Chief Law Enforcement Officer of this nation for providing the leadership and guidance that has enabled us to serve the American people.*

Respectfully submitted,

J. William Roberts  
Chairman

BLANK PAGE

---

# TABLE OF CONTENTS

|                                               |    |
|-----------------------------------------------|----|
| INTRODUCTION .....                            | xi |
| VIOLENT CRIME .....                           | 1  |
| Violent Crime Report                          |    |
| Project Triggerlock                           |    |
| Restoration of Civil Rights                   |    |
| Weed and Seed                                 |    |
| "Violent Crime Net"                           |    |
| Organized Crime Threat                        |    |
| ILLEGAL DRUG ACTIVITY .....                   | 5  |
| OCDETF                                        |    |
| Southwest Border Activities                   |    |
| Northern Border Activities                    |    |
| Drug Dealer Liability Act                     |    |
| Drug Demand Reduction                         |    |
| Asset Seizure and Forfeiture Laws             |    |
| WHITE COLLAR CRIME .....                      | 8  |
| Financial Institution Fraud                   |    |
| Bankruptcy Fraud                              |    |
| Health Care Fraud                             |    |
| Tax Matters                                   |    |
| Public Corruption                             |    |
| SENTENCING REFORM .....                       | 10 |
| Sentencing Guideline Policy                   |    |
| Principles of Federal Prosecution             |    |
| Sentencing Guideline Amendments               |    |
| Guideline Seminar                             |    |
| CIVIL JUSTICE REFORM .....                    | 12 |
| Executive Order 12778                         |    |
| Settlement Authority                          |    |
| Amendments to Federal Rules of                |    |
| Civil Procedure and Federal Rules of Evidence |    |

|                                                  |           |
|--------------------------------------------------|-----------|
| <b>OTHER LAW ENFORCEMENT ISSUES .....</b>        | <b>13</b> |
| Contact with Represented Persons                 |           |
| Recusals                                         |           |
| American With Disabilities Act                   |           |
| Indian Gaming                                    |           |
| Environmental Crimes                             |           |
| Child Exploitation and Pornography               |           |
| Juvenile Justice                                 |           |
| Prosecutor Immunity Liability                    |           |
| <b>INTERNATIONAL AFFAIRS .....</b>               | <b>17</b> |
| International and National Security Coordinators |           |
| DOJ International Training                       |           |
| International Relations                          |           |
| Interpol Convention                              |           |
| White Collar Crime                               |           |
| <b>INVESTIGATIVE AGENCIES .....</b>              | <b>19</b> |
| Investigative Agency Subcommittee                |           |
| Drug Enforcement Administration                  |           |
| U.S. Marshals Service                            |           |
| <b>FINANCIAL LITIGATION .....</b>                | <b>21</b> |
| Affirmative Civil Enforcement Pilot Program      |           |
| Debt Collection                                  |           |
| Non-Judicial Foreclosures                        |           |
| Foreclosure Cases                                |           |
| Debarment                                        |           |
| National Fine Center                             |           |
| Debtor Statement Program                         |           |
| Training                                         |           |
| <b>COMMUNICATIONS .....</b>                      | <b>24</b> |
| Media Guidelines                                 |           |
| <b>LEGISLATION .....</b>                         | <b>24</b> |
| Other Legislative Initiatives                    |           |
| Criminal Issues Subcommittee                     |           |
| Congressional Inquiries                          |           |

|                                              |    |
|----------------------------------------------|----|
| LAW ENFORCEMENT/VICTIM WITNESS PROGRAM ..... | 28 |
| Review of the LECC/VW Program                |    |
| District Law Enforcement Plans               |    |
| Grants                                       |    |
| Vehicle Window Tinting                       |    |
| Executive Working Group for                  |    |
| Federal-State-Local Prosecutorial Relations  |    |
| MANAGEMENT ENHANCEMENTS .....                | 30 |
| Case Management                              |    |
| Software Development                         |    |
| Management and Budget Subcommittee           |    |
| United States Attorneys' Conference          |    |
| SUBCOMMITTEE LISTING .....                   | 33 |
| MEMBERS OF THE AGAC: 1973 - 1992 .....       | 39 |

---

### *Acknowledgments*

*The Chairman of the Attorney General's Advisory Committee wishes to express his appreciation to all of the United States Attorneys, the Advisory Committee's Subcommittee chairmen, and especially to the Members of this Committee for their hard work, unselfish dedication, and commitment to the goals of the Attorney General of the United States.*

*The Chairman would also like to thank the Director of the Executive Office for United States Attorneys and his staff for their invaluable assistance and support during this past year. A particular expression of gratitude is directed to Judy Beeman, Special Assistant to the Advisory Committee.*

BLANK PAGE

---

# INTRODUCTION

**T**he 1992 Annual Report of the Attorney General's Advisory Committee of United States Attorneys presents a brief summary of those issues the Advisory Committee has addressed in 1992 in furtherance of the goals as set by the Attorney General. It describes the Committee's accomplishments as they relate to the Attorney General's priorities and illustrates the cooperative spirit that has evolved between the United States Attorneys, the Department of Justice and other law enforcement agencies.

## *History*

The Attorney General's Advisory Committee was created on September 20, 1973 by then Attorney General Elliot Richardson with the appointment of fifteen United States Attorneys. Members represent various size offices and are from different geographic regions of the nation. The appointments are for three years with terms staggered to ensure the annual rotation of at least one-third of the Committee's membership. The Committee's goal is to give the United States Attorneys a voice in Department policies and to advise the Attorney General of the United States. The Committee operates entirely at the direction and pleasure of the Attorney General and is directly responsible to him.

Originally, the Committee selected from its membership a Chairman, Vice Chairman and secretary. In 1987 the Advisory Committee elected to select a second vice chair in place of a secretary, and in 1991 the Committee unanimously voted to create the position of chairman-elect and to limit the Chairman's term to one year.

The Advisory Committee establishes such subcommittees as it deems necessary to carry out the Advisory Committee's objectives. Subcommittees may include United States Attorneys who are not members of the Committee. Subcommittees have no authority to take action in the name of the full committee without prior approval. All recommendations for action are directed personally to the Attorney General so that he, and he alone, may make the judgments as to which, if any, recommendations should be adopted and how they should be implemented.

The Advisory Committee was institutionalized by Executive Order 640-76, dated February 20, 1976.

## *The Work of the Attorney General*

General Barr refers to the United States Attorneys as our "shock troops" in the War against Crime. As the nation's chief law enforcement officers United States Attorneys are responsible to enforce federal laws and to ensure fair and impartial administration of justice for the American people. The close working relationship that the United States Attorneys have developed with the Department of Justice and other law enforcement agencies, coupled with the strong commitment of each to serve this Administration, has enabled them to identify and resolve issues that directly impact on the citizens of this nation.

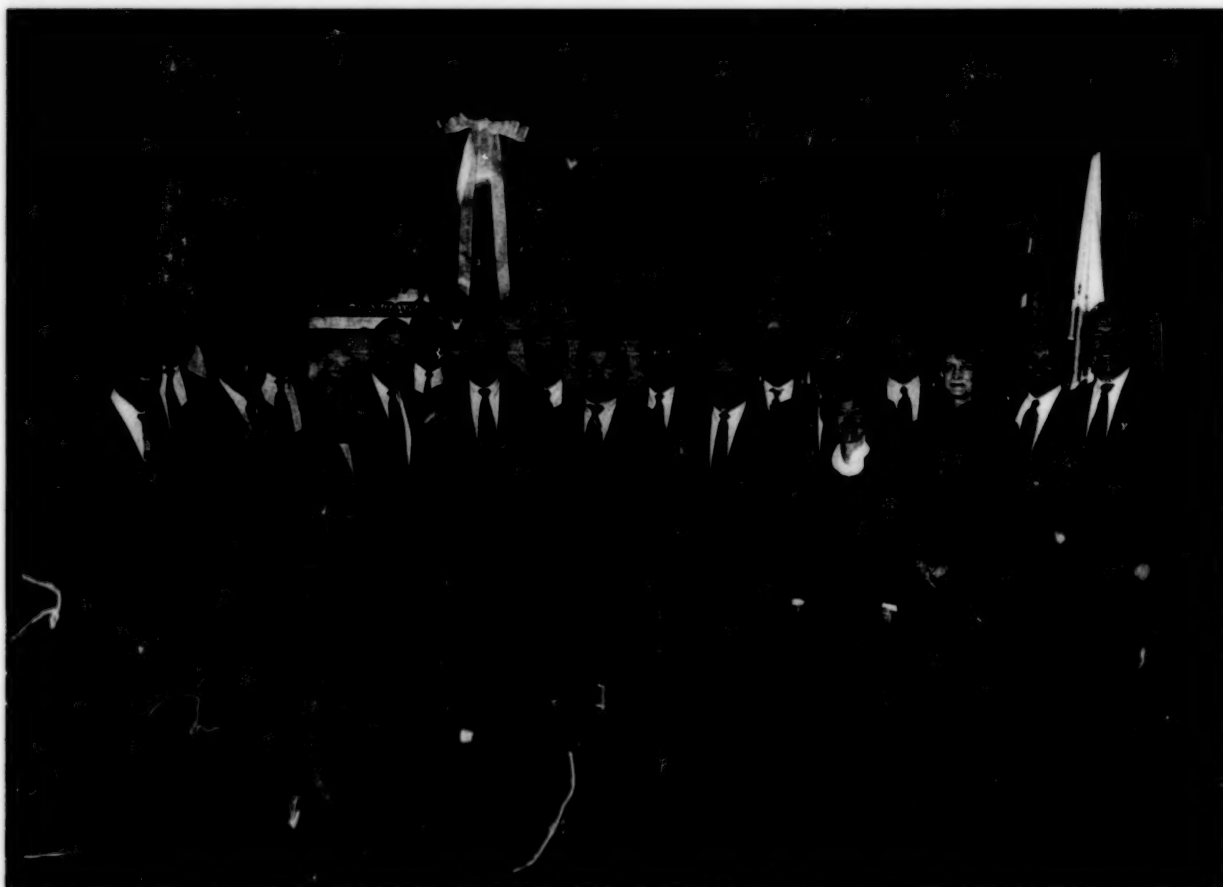
Meeting with the United States Attorneys at the United States Attorneys' Conference in March, Attorney General Barr set forth the Department's priorities -- Violent Crime, Drug Trafficking, White Collar Crime, Civil Rights, Civil Justice Reform, Affirmative Civil Enforcement, Sentencing Guidelines, Communications, and strengthening State and local Criminal Justice systems.

This report illustrates that the Attorney General's Advisory Committee and its subcommittees have responded to General Barr's call. Together with the Office of the Deputy Attorney General, the Associate Attorney General, and the Litigating Divisions, they have had many successful joint ventures. Some of the highlights include,

- Furthering the Department's efforts in Project Triggerlock and Weed and Seed;
- Protecting federal prosecutors through a proposed rule on communications with represented persons;
- Revising the Department Media Guidelines;
- Reissuing the Department's Sentencing policy;
- Resolving differences concerning environmental crimes policy;
- Reevaluating the LECC/VW Program;
- Responding to Indian Gaming concerns;
- Rededicating efforts to Civil Justice Reform;
- Developing a pilot program on affirmative civil enforcement;
- Seeking increased settlement authority to \$1 million for the United States Attorneys to settle civil cases;

- Expanding the United States Attorneys' recusal policy; and,
- Expanding United States Attorney debt collection efforts.

As the Attorney General's Advisory Committee of United States Attorneys approaches its 20th year, we look forward to continuing and deepening our working relationships with the Department of Justice and other law enforcement agencies both at the federal, State and local levels, as we strive to assure that the work of the Attorney General is done.



Members of the Attorney General's Advisory Committee of United States Attorneys -- December 1991 (Photo includes outgoing members for 1991 and new members for 1992). (First row, left to right) E. Bart Daniel (South Carolina); Timothy D. Leonard (Western Oklahoma); Lourdes Baird (Central California); Former Chairman (1991) Joseph M. Whittle (outgoing, ex officio member 1992) (Western Kentucky); Attorney General William P. Barr; 1992 Chairman J. William Roberts (Central Illinois); Jay B. Stephens (District of Columbia); Deborah Daniels (outgoing) (Southern Indiana); Linda Akers (Arizona); (Second row, left to right) Mike McKay (Western Washington); Jean Paul Bradshaw, II (Western Missouri); Wayne A. Budd (Massachusetts); Thomas W. Corbett, Jr. (Western Pennsylvania); George L. Phillips (outgoing) (Southern Mississippi); Robert Q. Whitwell (new) (Northern Mississippi); Gene W. Shepard (Southern Iowa); Marvin Collins (Northern Texas); Jeffrey R. Howard (New Hampshire); Otto Obermaier (Southern New York). Absent: Michael Chertoff (new) (New Jersey).

---

# VIOLENT CRIME

Combating violent crime in this nation is a top priority for the Attorney General and for the United States Attorneys. United States Attorneys recognize that violent crime is largely the problem of repeat, violent offenders where a small segment of our population is responsible for a large share of the violent crime. It is also primarily the responsibility of state and local government -- 95 percent of violent crime is prosecuted by state and local authorities.

Within the last few years, the federal government has made great strides in law enforcement. We have created tough forfeiture laws, mandatory minimum sentencing for serious firearm, drug and repeat offenders, abolished parole, and adopted sentencing guidelines. Furthermore, the President and Congress have made increased federal prison capacity a high priority. It is now time for the States to toughen their criminal justice systems. Through such programs as Triggerlock and Weed and Seed, United States Attorneys are assisting State and local law enforcement officials to make this a reality.

The Attorney General's Advisory Committee and its subcommittees have worked closely with the Office of the Attorney General, the Office of the Deputy Attorney General, the Criminal Division, and the Office of Policy and Communication on the violent crime issue.

## *Violent Crime Report*

In August Attorney General Barr issued a blueprint for fighting violent crime at the State and local level entitled, "Combating Violent Crime: 24 Recommendations to Strengthen Criminal Justice." This report sets forth recommendations such as building more prisons to toughen state criminal justice systems and to stop "revolving door justice. The Violent Crime Report has received the support of the National District Attorneys Association, the National Attorneys General Association, and has been adopted by the National Organization of Victims Assistance. Those United States Attorneys who contributed to this report include the following: J. William Roberts, (Central Illinois) and Chairman of the Attorney General's Advisory Committee; Michael M. Baylson, (Eastern Pennsylvania); Marvin Collins (Northern Texas); Jeffrey R. Howard (New Hampshire); and J.B. Sessions III (Southern Alabama).

## *Project Triggerlock*

The Organized Crime and Violent Crime Subcommittee (OCVC), chaired by Joe Whitley, United States Attorney (Northern District of Georgia), continues to monitor the progress of our National Triggerlock effort -- a cooperative effort among state and local law enforcement to

target the most dangerous armed felons in each community for removal from the streets through prosecution. As of October 31, 1992, 9,779 defendants have been charged. Triggerlock now accounts for more than ten percent of federal prosecutions, and in its first full year federal firearms prosecutions have more than doubled. Tough federal sentencing laws are resulting in thousands of armed dangerous offenders being behind bars, preventing countless crimes.

To continue the targeting of repeat offenders, the OCVC developed Triggerlock II. Together with the Terrorism and Violent Crime Section and the Organized Crime and Racketeering Section of the Criminal Division of the Department of Justice, the OCVC Subcommittee is working to encourage improved case quality in gun cases and to offer better coordination with state and local jurisdictions.

### *NCIC 500*

The OCVC is monitoring the NCIC 500, a new violent offender program developed by the Bureau of Alcohol, Tobacco and Firearms (ATF) which will enhance our Triggerlock efforts. The program is designed to identify and target the 500 most dangerous criminals around the country.

The Federal Bureau of Investigation's newly designed Drug Fire program which matches gun cases through a computerized program will also benefit our Triggerlock efforts.



Breakout Session on Violent Crime at United States Attorneys' Conference in March: (left to right) USA Lincoln Almond (Rhode Island); USA James Eldon Wilson (Middle Alabama); USA E. Montgomery Tucker (Western District of Virginia); USA D. Michael Crites (Southern Ohio); USA Daniel F. Lopez-Romo (Puerto Rico); USA Joe D. Whitley (Northern Georgia and Chairman of the Organized Crime and Violent Crime Subcommittee); USA Harry A. Rosenberg (Eastern Louisiana); Jeffrey J. Jamar, Special-Agent-In Charge, FBI, (San Antonio Field Office).

## *Restoration of Civil Rights*

The issue of restoration of civil rights for a convicted felon in federal firearms prosecutions has become a growing concern in many states due to the increase in gun cases. Such provisions are resulting in the nullification of predicate offenses in Section 924(e) prosecutions. Five states have broad restoration provisions, while there are a number of states with lesser restoration provisions. The OCVC has been working on amended language to 18 U.S.C. Section 921(20)(B) to correct the inequities that currently occur by reason of different state legislation dealing with restoration of civil rights of convicted persons. United States Attorney Joyce George (Northern District of Ohio), has prepared a proposal through the OCVC that the Department sponsor a fifty state initiative adjusting the restoration of civil rights provisions in state laws to create consistency among the states to avoid the untimely and inappropriate restoration of rights nullifying the application of the Armed Career Criminal Act.

Restoration of civil rights is also a concern when a Presidential pardon is being considered. The Advisory Committee discussed this issue with Pardon Attorney Margaret Love who explained a Presidential pardon overcomes any absolute disability imposed by state law, therefore a Presidential pardon restores the firearm privilege. The Office of the Pardon Attorney is also looking at this issue.

## *Weed and Seed Initiative*

Weed and Seed has proved to be one of the Department of Justice's most successful initiatives. Since its creation, 19 pilot and demonstration sites have been funded and many additional communities have begun to develop Weed and Seed strategies without funds -- Weed and Seed Track II. In November, federal agencies were asked by the Director of the Executive Office for Weed and Seed, Deborah Daniels (United States Attorney for the Southern District of Indiana) to identify those programs which complement and Weed and Seed initiative, and to target those resources toward communities which have developed a coordinated Weed and Seed strategy. Many resources are available on the state and local level, in not-for-profit agencies, in private foundations and in private enterprise which will, in addition to specified federal discretionary and/or block grant programs, support such strategies.

The concept of Weed and Seed originated in the Eastern District of Pennsylvania (Philadelphia) where United States Attorney Mike Baylson conducted an operation to identify a small neighborhood which had a drug monopoly and had sought our assistance to clean it up. Without any additional resources, the Eastern District of Pennsylvania monitored the street activity which lead to the arrest of those dealing in drugs -- once the drug dealers were taken off the streets the neighborhood came alive. Baylson, who heads up the Weed and Seed Working Group, continues to work closely with the new Executive Office for Weed and Seed to expand the Weed and Seed initiative throughout the country.

In May the Department issued a directive that forfeited real property can be transferred to social welfare agencies or non-profit agencies with the consent of State or local law enforcement. The Eastern District of Pennsylvania has just been selected as the first district to use forfeited properties for a Weed and Seed site.



Baylson presenting forfeiture deeds. Properties are located in the West Kensington area of Philadelphia, a Weed and Seed target area. (Left to right) Miriam Colon, President, Community United Neighbors Against Drugs (recipient); Dr. Jesus Sierra, Executive Director of Asociacion de Puertorriquenos en Marcha, Inc. (APM) (recipient); Michael Baylson, United States Attorney (Eastern Pennsylvania); Henry Hudson, Director of the Marshals Service; and Steven Kelmer, Assistant Secretary, Health and Human Services; Michael Lutz, Office of Attorney General, State Bureau Narcotics Investigation (behind Mr. Sierra).

### *"Violent Crime Net"*

At the request of the LEC/VW Subcommittee, chaired by George Phillips, United States Attorney (Southern District of Mississippi), the LECC/VW staff of the Executive Office for United States Attorneys publishes the "Violent Crime Net," a bi-monthly newsletter designed to assist the United States Attorneys' offices in their fight against violent crime.

### *Organized Crime Threat*

Fighting organized crime is part of the Department's overall battle against violent crime, and assessing the current organized crime threat in the United States is a high priority of the OCVC Subcommittee. Together with the Organized Crime and Racketeering Section of the Criminal Division, the strike force chiefs, and the FBI, the Subcommittee is assessing the organized crime threat with an emphasis on traditional mafia, Sicilian mafia and Asian Organized Crime. Plans are underway for United States Attorneys with significant Asian organized crime problems to participate with law enforcement agencies to develop a strategy to target several of the recognized criminal organizations.

---

# ILLEGAL DRUG ACTIVITY

**T**he Administration's attack on violent crime has had a major impact on drug trafficking. Our on-going offensive against violent street gangs engaged in the drug trade has completely eradicated entire gangs in cities such as Philadelphia, Chicago, Boston, Detroit and Washington, D.C. Our task force approach is working -- in D.C. alone, three gangs were taken off the streets. The conviction of Manuel Noriega in Florida this year demonstrated that no drug kingpin is above the law.

In 1992, the President transmitted the Fourth National Drug Control Strategy to the Congress. The principal goal remains unchanged -- to reduce the level of illegal drug use in America. Through the use of asset seizures and forfeiture laws, we have made great strides in dismantling drug organizations by taking away their ill-gotten profits. The success of the Operation Green Ice in which nine money managers of the Carli cartel were seized proves that by placing our focus on the money side, we can slow down drug operations.

Many of our subcommittees have been involved with countering illegal drugs.

## *OCDETF*

The Organized Crime Drug Enforcement Task Force (OCDETF) Program was the focus of the Controlled Substances Subcommittee, chaired by United States Attorney Jeff Sessions (Southern District of Alabama). OCDETF has resulted in the destruction of hundreds of importation and drug distribution organizations and the forfeiture of millions of dollars in illegal gain. As it reached its ten-year mark, the Controlled Substances Subcommittee reviewed the program from the United States Attorneys' perspective, looking at ways to enhance cooperation among the agencies and to improve the assembling and distribution of drug intelligence. The Subcommittee also looked at ways to assure that the National Drug Intelligence Center becomes an effective tool in the war against drugs.

## *Southwest Border Activities*

The Southwest Border Subcommittee, chaired by United States Attorney Ron Ederer (Western District of Texas) continues to work with Operation Alliance. Operation Alliance was established in 1986 to coordinate federal, state and local law enforcement efforts in the four border states of Texas, New Mexico, Arizona, and California to interdict the flow of drugs and illegal aliens into the United States, and currency, chemicals and firearms out of the country.

The Southwest Border Subcommittee assists Alliance in its lobbying efforts for more resources, in resolving disputes, and providing input into the coordination of the overall border drug control strategy.

### ***Northern Border Activities***

The northern border United States Attorneys are actively involved with Project North Star -- a Canadian-United States Bi-National law enforcement cooperative effort developed as part of the United States National Drug Strategy to address drug trafficking on the northern border. Originally it was anticipated that Project North Star would be similar in structure and purpose to Operation Alliance; however, Project North Star is different since Canadian law enforcement is a full partner and has played an integral role in its formation. Tom Corbett, United States Attorney for the Western District of Pennsylvania, Wev Shea, United States Attorney for the District of Alaska, and Dick Cohen, United States Attorney for the District of Maine, have lead the northern border United States Attorneys in this effort.

### ***Drug Dealer Liability Act***

United States Attorney Dan Bent (District of Hawaii) is working closely with the Department in developing a Drug Dealer Liability Act.

### ***Drug Demand Reduction***

Although the Department of Justice is primarily associated with the mission of reducing the supply of drugs, the Department and the United States Attorneys are strongly committed to drug abuse and prevention. Ron Lahners, United States Attorney for the District of Nebraska chairs the Drug Abuse Prevention and Education Subcommittee which continually works to promote and improve our drug prevention efforts. This year the Subcommittee developed,

- A program statement for all United States Attorneys to be distributed to their communities concerning drug prevention and education.
- A menu of effective drug prevention programs for the offices of the United States Attorneys which includes the name of a contact person to be used as a resource guide.
- A proposal for national public service awards for drug prevention and education efforts at the district level.

The Subcommittee is also working closely with the Executive Office for Weed and Seed to cosponsor with them a "Seeding Implementation/Drug Prevention Conference" for all United States Attorneys and LECC coordinators.

At the Subcommittee's request, the LECC/VW Staff of the Executive Office for United States Attorneys is publishing a bi-monthly newsletter entitled the "Drug Demand Reduction Network" which features model programs, ideas for involvement with community groups and other agencies, drug statistics, notification of available training, funding, and upcoming conferences. Through the newsletter, United States Attorneys and Coordinators are kept informed about resources offered by federal and state agencies and private organizations that devote time and funding to drug demand reduction activities.

The LECC/VW Subcommittee, chaired by George Phillips, United States Attorney for the Southern District of Mississippi, reports that drug demand prevention programs are a top priority for the LECC Program.

### *Asset Seizure and Forfeiture Laws*

Asset seizure and forfeiture has proved to be one of the most effective law enforcement tools we have to combat drug trafficking and money laundering, crimes committed for profit. The United States Attorneys have been in the forefront in educating the public as to the positive aspects of this program.

Working with Jeff Howard, Principal Associate Deputy Attorney General and Cary Copeland, Director of the Executive Office of Asset Forfeiture (EOAF), the Advisory Committee reviewed Quality Assurance Standards for Asset Forfeiture and the Asset Forfeiture Guidelines prepared by the Executive Office for Asset Forfeiture. At the Committee's request, the EOAF developed a recommendation which would provide additional mechanisms for quality review of those forfeiture matters which are not subject to additional oversight of the judiciary, particularly those instances in which no corresponding criminal case is brought. At the Committee's request, the EOAF also developed a proposal to address those instances where a federal seizing agency declines to adopt good State and local seizures, that will allow the United States Attorney to recommend an adoption.

In October the President signed into law a series of bills which amend the forfeiture statutes in 18 U.S.C. Sections 981-82 and the related substantive money laundering offense in 18 U.S.C. Section 1956-57 and 31 U.S.C. Section 5324. These changes will enhance the Department's efforts in handling criminal and civil forfeiture cases.

---

# WHITE COLLAR CRIME

**T**he Department of Justice has a unique role to play in the investigation and prosecution of white collar crimes. It is often the only enforcement agency with the resources, capacity and legal scope to handle these cases, since they frequently involve sophisticated conspiracies that cross both state lines and international borders. United States Attorneys and the White Collar Crime Subcommittee, chaired by United States Attorney William Carpenter (District of Delaware) have expanded their law enforcement efforts into the areas of health care fraud, computer fraud, telemarketing, insurance and pension fraud, while continuing their vigorous pursuit of financial institution fraud. Many of our subcommittees overlap in the white collar crime area, and the Chairman of the Advisory Committee serves on the Economic Crime Council.

## *Financial Institution Fraud*

Ira Raphaelson, Special Counsel for Financial Institution Fraud, worked with the Advisory Committee throughout the year concerning the Department's efforts on financial institution fraud. Our latest figures report that in 1989-90 the Department brought in 400 prosecutions in the saving and loan area -- the Dallas Bank fraud working group accounted for fifteen percent of this alone. In 1991, the Department doubled its productivity of the previous two years.

## *Bankruptcy Fraud*

In response to the Attorney General's request that all Justice components take strong action to combat bankruptcy fraud, the Advisory Committee met with John Logan, Director of the Office of U.S. Trustees, to develop procedures to improve the referrals in bankruptcy cases to United States Attorneys. Special Assistant U.S. Trustee Joe Brown (former United States Attorney for the Eastern District of Tennessee) is assisting the United States Attorneys in this effort.

Dick Bennett, United States Attorney for the District of Maryland and member of the Bankruptcy Fraud Working Group reports that bankruptcy fraud training has been provided for Assistant United States Attorneys, the Internal Revenue Service, the Federal Bureau of Investigation and U.S. Trustees.

## ***Health Care Fraud***

### ***Operation Goldpill***

Operation Goldpill was one of the Department's successes this year in health fraud. Operation Goldpill which focused on those in the health care business, specifically pharmacies that were overcharging for drugs showed massive fraud in the health care industry. United States Attorneys Tom Corbett (Western District of Pennsylvania), Otto Obermaier (Southern District of New York), Jay Stephens (District of Columbia) and Richard Cullen (Eastern District of Virginia) took part in this operation.

### ***LECC/VW Involvement In Health Care Fraud***

The LEC/VW Subcommittee has expanded into the area of health care fraud. The Subcommittee, chaired by United States Attorney George Phillips, (Southern District of Mississippi), is working with federal/state and local law enforcement agencies, representatives from the Health and Human Services, and members of medical licensure boards on this issue and is developing LECC model programs on health care fraud.

## ***Tax Matters***

### ***IRS' Nonfiler Program***

Commissioner Shirley Peterson sought Advisory Committee assistance to aggressively prosecute those individuals who deliberately evade the filing of taxes. In a new program announced by the Commissioner, the IRS is targeting those individual taxpayers who have stopped filing or have never filed a tax return. It is not an amnesty program. Penalties will be aggressively pursued in those cases involving taxpayers with demonstrated willful intent. The United States Attorneys are working with the Commissioner of IRS and Jim Bruton, Acting Assistant Attorney General for the Tax Division in this effort.

### ***Electronic Filing (ELF) Cases***

The Advisory Committee is also assisting the Tax Division in its effort to curb the escalating number of electronic filing (ELF) cases.

## ***Public Corruption***

In the area of public corruption, the Public Corruption Subcommittee, chaired by Mike Carey, United States Attorney (Southern District of West Virginia), is reviewing enhancement of penalties of public corruption crimes and improved statutory schemes relating to acts of public corruption.

---

# SENTENCING REFORM

**V**iolent crime in the War Against Drugs is being fought on many battlefields with many tools. One of these tools is sentencing reform. The Criminal Division and the Sentencing Guidelines Subcommittee, chaired by United States Attorney Bob Edmunds (Middle District of North Carolina) have worked closely with the Sentencing Commission to ensure that the sentencing guidelines are fair and consistent and that the United States Attorneys have input into the sentencing guideline process.

## *Sentencing Guideline Policy*

With the growing number of Triggerlock cases, coupled by the decision in Rawlings which raised concerns in charging decision in multiple 924(c) counts, the Office of the Deputy Attorney General and the Sentencing Guidelines Subcommittee, developed and issued on February 7, 1992, a policy statement which sets forth the Department's plea bargaining practices. The policy statement supplements the Department's Thornburgh Memoranda of March 13, 1989 and June 16, 1989.

## *Principles of Federal Prosecution*

The Subcommittee is reviewing the Principles of Federal Prosecution which are included in Title 9, Chapter 27 of the United States Attorneys' Manual to include new sentencing policy and new statutes dealing with mandatory minimum sentencing. Few such statutes were in effect when the Principles of Federal Prosecution were originally promulgated, but now federal prosecutors must deal with many. The review effort has already been partially accomplished through the efforts of Otto Obermaier, United States Attorney (Southern District of New York), who prepared a rewrite of 9-27.000 to include the Thornburgh Memoranda.



Sentencing Guidelines Seminar: (left to right), J. William Roberts, Chairan of the Attorney General's Advisory Committee; Robert H. Edmunds, Jr., Chairman of Sentencing Guidelines Subcommittee; Attorney General William P. Barr.

## *Sentencing Guideline Amendments*

Each year the Sentencing Guidelines Subcommittee works with the Department and the Sentencing Commission on amendments to the Sentencing Guidelines. They are currently working on the upcoming 1993 amendment cycle which will include proposed amendments in four areas: violent crime, drugs and role in the offense, money laundering, and white collar crime. Paul Maloney, Senior Counsel for Policy in the Criminal Division, who is both a member of the Subcommittee and ex officio member of the Sentencing Commission, assists the Subcommittee. In addition to the Sentencing Commission and the Criminal Division, the Sentencing Subcommittee works closely with other components of the Department whose work affects criminal sentencing, such as the Office of the Solicitor General, the Office of the Deputy Attorney General, the Tax Division, the Office of Policy and Communication, and the Office of Legal Education of the Executive Office for United States Attorneys.

Chairman Edmunds and subcommittee member Steve Easton (United States Attorney for the District of North Dakota), testified before the Sentencing Commission in favor of several of the proposals and in opposition to others for the 1992 amendment cycle.

### *Guideline Seminar*

A Sentencing Guidelines Subcommittee presented a successful Sentencing Seminar in July 1992 for all United States Attorneys. The Seminar focused on sharing ideas and programs. Presentations were made by Attorney General Barr, Deputy Attorney General George Terwilliger, J. William Roberts, Chairman of the Advisory Committee (United States Attorney for the Central District of Illinois), members of the Sentencing Commission and representatives of the Department.



Sentencing Guidelines Subcommittee: (Front row - left to right) AUSA Miriam Krinsky (C. Ca.); AUSA Devon Gosnell (W. Tn.); Chairman Robert H. Edmunds, Jr., (USA, M. NC); Joe B. Brown (Charter Chairman, former USA, M. Tn.); USA Deborah Daniels (S. Ind.); Vicki Portney, Acting Director, Office of Policy, Management and Analysis (Criminal Division, DOJ); USA Margaret Currin (E. NC). (Second row - left to right) AUSA William Otis (E. Va.); Paul Maloney, Senior Counsel for Policy (Criminal Division, DOJ); USA Michael Baylson, (E. Pa.); USA Thomas W. Corbett, Jr., (W. Pa.); USA Stephen D. Easton, (ND); USA Charles H. Turner (Ore.); AUSA Tamara Kessler (E. Pa.). Third row (left to right) USA Jean Paul Bradshaw II, (W. Mo.); AUSA Thomas Zeno (DC); AUSA Richard Robinson (C. Ca.). Absent: J. William Roberts, Chairman AGAC, (USA C. Ill.) and AUSA Richard S. Glaser, Jr. (M. NC).

---

# CIVIL JUSTICE REFORM

**C**ivil Justice Reform is a product of the President's Council on Competitiveness chaired by Vice President Dan Quayle. In the past 30 years, our legal system has become burdened with excessive costs and delays. Many features of the current legal system no longer serve to expedite justice or to ensure fair results. Instead, overuse and abuse of the legal system impose tremendous costs upon American society. The United States spends an estimated \$300 billion as an indirect cost of the civil justice system.

To address this problem, the Council established a working group chaired by Solicitor General Kenneth Starr. The working group's recommendations, which were unanimously accepted, provided concrete steps that can be taken to restore our civil justice system as an institution that is fair to all and serves the ends of justice. Solicitor General Starr has encouraged all United States Attorneys to rededicate their efforts to ensure that this initiative is carried out.

## *Executive Order 12778*

The report on Civil Justice Reform has brought a renewed degree of professionalism to civil litigation. It has reestablished a set line of communication between the Civil Division and the United States Attorneys, and it has required that the Department and the United States Attorneys be innovative in developing methods to deal with the issues at hand.

Implementing Executive Order 12778 on Civil Justice Reform has been the main focus of the Civil Issues Subcommittee, chaired by Lee Thompson, United States Attorney, (District of Kansas), and former chairman Bob Whitwell, United States Attorney (Northern District of Mississippi). Working together with the Civil Division, the Subcommittee assisted United States Attorneys in implementing the Executive Order. Most recently a United States Attorney representative was selected to sit on the ad hoc working group which the Department has in place to draft final guidelines and to provide progress reports on the implementation effort.

## *Settlement Authority*

The Civil Issues Subcommittee spearheaded the drive to increase United States Attorney settlement authority to \$1 million to settle civil cases. The request was presented to the Attorney General for consideration.

## *Amendments to the Federal Rules of Civil Procedure and Federal Rules of Evidence*

The Civil Issues Subcommittee continued to work with the Civil Division to prepare amendments to the Federal Rules of Civil Procedure and Federal Rules of Evidence to be submitted to the Advisory Committee for the Federal Rules of Civil Procedure. The Criminal Issues Subcommittee, chaired by United States Attorney Bob Edmunds (Middle District of North Carolina) also participated in the review of the civil rule amendments.

---

## **OTHER LAW ENFORCEMENT ISSUES**

### *Contact with Represented Persons*

On November 20, 1992 the Department of Justice announced that a proposed Department regulation on communications with represented persons would be published in the Federal Register. The proposed regulation was the direct result of a working group headed by Dennis Saylor, Special Counsel to Bob Mueller, Assistant Attorney General for the Criminal Division, and Deborah Daniels, United States Attorney (Southern District of Indiana).

### *Recusals*

A joint effort between Ira Raphaelson, Special Counsel for Financial Institution Fraud, Legal Counsel Tim Flannigan, the Advisory Committee and the Executive Office for United States Attorneys resulted in revised Department policy to further clarify the Department's recusal policy for United States Attorneys.

### *Americans with Disabilities Act*

John Dunne, Assistant Attorney General for the Civil Rights Division, continues to work with the Advisory Committee and the United States Attorneys to ensure that prosecutions involving the American With Disabilities Act are carried out.

## *Indian Gaming*

In the past seven years, the use of gaming casinos on Indian lands as a means of economic development has escalated. In an attempt to control and regulate these gambling ventures, Congress passed the Indian Gaming Regulatory Act (IGRA) in 1988. Initially, Congress declared a moratorium on enforcement under IGRA to permit tribes and states adequate time to comply with its requirements. United States Attorneys similarly did not enforce other provisions of federal law because compliance with IGRA would have made enforcement action moot. The gambling casinos, however, continued to grow with little or no regulation and report of abuses continued to multiply.

### *Progress Made*

In January, the Indian Affairs Subcommittee, chaired by United States Attorney Linda Akers, (District of Arizona), was called to Washington develop a multi-level strategy to address the problem of gambling on Indian lands and to discuss enforcement issues under IGRA. The subcommittee met again with other United States Attorneys who have Indian gaming concerns to complete the process of developing a strategy and shared information regarding the status of litigation in each district. A report and recommendations were sent to the Attorney General. The report addressed the necessity of coordination between and among United States Attorneys, the Department of Justice, the Department of Interior, and the National Indian Gaming Commission and recommended prosecution of non-tribal operations (not covered by IGRA) and other crimes associated with gaming operations, including fraud, embezzlement and skimming.

The Subcommittee recommended immediate training for all United States Attorneys in gaming prosecutions and forfeiture actions after the IGRA and under the new regulations. Also, adequate funding was requested to ensure that resources were available to permit uniform and equitable enforcement among the tribes across the United States. The first training sessions developed by the Advocacy Institute were held in December 1992.

### *LEC/VW Involvement*

The LEC/VW Subcommittee is assisting the Indian Affairs Subcommittee and the Criminal Division's working group on Indian gaming to ensure that cooperative and effective interactions are maintained with state and local governments.

### *NIGC Regulations*

The Indian Affairs Subcommittee has reviewed and provided comments on the regulations being proposed by the National Indian Gaming Commission (NIGC). These regulations include: regulation defining terms under the Indian Gaming Regulation Act; regulation concerning approval of gaming ordinances and privacy act procedures; and management contract regulations.

### *Congressional Appearances*

Ms. Akers also appeared before the Congress three times in 1992 and participates in a working group of State Attorneys General and Department of Justice Personnel including United States Attorneys.

### *Environmental Crimes*

#### *Indictment and Review Policy*

The Environmental Crimes Subcommittee chaired by Dennis Vacco, United States Attorney (Western District of New York), has worked with the Environment and Natural Resources Division to resolve differences concerning the indictment and review policy for environmental crimes cases. This issue has come to a successful conclusion due to joint efforts by the Subcommittee with Vickie O'Meara, Acting Assistant Attorney General for the Environment and Natural Resources Division, and Principal Associate Deputy Attorney General Jeff Howard.

#### *LECC Environmental Subcommittees*

At the request of General Barr the Department is establishing closer cooperative environmental partnerships along our borders. To this end, the Environment and Natural Resources Division is working with the Environmental Crimes Subcommittee to create LECC Environmental Subcommittees nationwide and specifically on the U.S.-Canadian border which will include participation by Canadian environmental officials. The environmental subcommittees are to be modeled after the LECC Environmental Subcommittee for the Northern District of New York.

### *Child Exploitation and Pornography*

The Department's Child Exploitation and Obscenity Section (CEOS), along with the Postal Inspection Service, has launched a major child pornography sting operation that should result in at least two dozen cases. A second major child pornography prosecution project has been launched between the CEOS and the United States Customs Service that may result in dozens of cases as well. The Child Exploitation and Obscenity Subcommittee, chaired by Margaret Currin, United States Attorney for the Eastern District of North Carolina, is working closely with the CEOS in these efforts.

### *Child Exploitation*

The Child Exploitation and Obscenity Subcommittee is also working with the CEOS on its Indian Lands Child Exploitation Initiative. The intent of this initiative is to have a more uniform prosecution effort among United States Attorneys, thereby increasing the number of prosecutions of child sex abuse on Indian lands. Together, they are working to create an acceptable survey of all United States Attorneys' offices to obtain comprehensive information on current prosecution policies. They will also be working together to change the United States Attorneys' Manual to provide guidelines for prosecution of child sex abuse cases to enhance the Department's success in this area.

The CEOS has participated in several prominent child pornography prosecutions, including the successful prosecution in the District of New Hampshire of Larry Bateman, a teacher at Phillips Exeter Academy in Exeter, New Hampshire.

### *Child Abuse Task Force*

Ken Sukhia, United States Attorney (Northern District of Florida) who is a member of the Child Exploitation and Pornography Subcommittee, serves as a member of the Office of Justice Program Child Abuse Task Force. The Task Force is designed to provide an in-depth focus on the crime of child maltreatment and to improve intra-agency information exchange, coordinated planning, and cooperation with the Office of Justice Programs.

### *Obscenity*

Prosecutions of Los Angeles producers and national distributors of hard-core pornography continue. Successes included several significant convictions and substantial forfeitures, including a \$3.5 million forfeiture in U.S. v. Multi Media in the Northern District of Florida.

### *Juvenile Justice*

Improving juvenile justice is another top Department priority that is being addressed by Associate Attorney General Wayne Budd. Speaking before the Advisory Committee, Associate Attorney General Budd, explained that our current system of justice doesn't handle an adequate fraction of those kids who are salvageable. To this end, he has formed a group of family court judges, probation officers, boys club/girls club representatives, and prosecutors to look at ways to improve the system.

To assist with juvenile justice, the Congress enacted and sent on to the President H.R. 5194 which amends the Juvenile Justice and Delinquency Prevention Act of 1974, and which authorizes appropriations for fiscal years 1993, 1994, 1995 and 1996.

## *Prosecutor Immunity Liability*

In the wake of the Supreme Court's decision in Burns v. Reed, 111 S.Ct. 1934 (1991), a Prosecutor Immunity Liability Working Group was formed to deal with the growing level of discomfort experienced by federal prosecutors and other Department attorneys in this area. The United States Attorneys are concerned that the Court's ruling may deter prosecutors, or at least make them hesitant, to provide legal advice to police officers, especially in sudden death type instances.

The working group, chaired by Mike McKay, United States Attorney (Western District of Washington) recommended to the Attorney General through the Advisory Committee that the Department negotiate more favorable terms of professional liability insurance for AUSAs and other DOJ attorneys; make available updated materials discussing prosecutorial immunity, liability and representation including a discussion of the impact of Burns v. Reed to include a video tape; that each United States Attorneys appoint one or more Immunity/Liability Officers; and that a United States Attorney and an Assistant United States Attorney sit on the Department's representation committee.

At the request of the Deputy Attorney General a working group has been formed by the Executive Working Group to explore possible legislative remedies to the decision in Burns v. Reed.

---

## **INTERNATIONAL AFFAIRS**

**T**he International Affairs Subcommittee was created in August of 1991 in response to the increasing involvement of international issues and national security matters in cases handled by United States Attorneys' offices. The Subcommittee is chaired by United States Attorney Michael Crites (Southern District of Ohio). The chairman also serves as United States Attorney liaison to the Office of International Affairs. Lourdes Baird, former United States Attorney (Central District of California) served as chairwoman through August 1992.

## *International and National Security Coordinators*

At the recommendation of the International Affairs Subcommittee, Assistant Attorney General Robert S. Muller III, (Criminal Division) asked each United States Attorney to designate a senior Assistant United States Attorney to serve as International and National Security Coordinator for their respective districts. All district have complied.

Two international training sessions are being planned for these coordinators to be held in Washington, D.C. during Fiscal Year 1993. An Advisory Committee consisting of 15 International and National Security Coordinators was created in December to work with the Office of International Affairs, headed by George Proctor, and the Subcommittee to plan the training conferences and discuss ways that the Office of International Affairs can better serve the offices of the United States Attorneys.

## *DOJ International Training*

Together with the Office of International Affairs and the Executive Office for United States Attorneys, the International Subcommittee prepared a report on the Department's international training activities. The report included information on international training that was provided during Fiscal Years 1991 and 1992; training planned for Fiscal Year 1993; pending requests to provide international training received from component representatives overseas, other United States government agencies, foreign governments, international organizations or non-governmental entities; and international training requests that were received, but declined for Fiscal Years 1991 - 1993.

The Subcommittee will continue to support the Office of International Affairs in the planning and execution of future Department of Justice Conferences for foreign officials or major law enforcement issues.

## *International Relations*

In the area of international relations, the subcommittee will continue to develop procedures to improve the management and coordination of foreign and domestic extraditions, mutual legal assistance requests, significant international forfeiture matters, and other operations that are underway on behalf of the offices of the United States Attorneys in foreign jurisdictions, such as passport revocations, deportations and expulsions.

At this time, the subcommittee is working with the Office of International Affairs to assess the viability of detailing an experienced Assistant United States Attorney from the field to the Office of International Affairs for a six-month period.

## *Interpol Convention*

The International Affairs Subcommittee under the leadership of its former chairperson Lourdes Baird, reviewed a draft proposal to initiate an Interpol Convention concerning the authentication of documentary evidence. The concept was presented to the Attorney General.

## *White Collar Crime*

Tom Hefflinger, United States Attorney for the District of Minnesota, went to Czechoslovakia to participate in a series of presentations to top ranking officials of the Czechoslovakia government on the topic of white collar crime. This was at the request of and with the sponsorship of the Prime Minister of the Czech and Solvak Federal Republic and was approved by the Department of Justice. Hefflinger reported that the United States and the Department of Justice currently have a tremendous opportunity to have a significant impact in central Europe in general and Czechoslovakia in particular.

---

# INVESTIGATIVE AGENCIES

**R**esources were a major concern addressed by many of the investigative agencies as they met with the Advisory Committee this year. General Barr asked the United States Attorneys early in the year to examine their resources to ensure they were being effectively applied. Other agencies faced the same mandate.

Under threat of major cutbacks in resources at the Postal Service, Chief Postal Inspector Chuck Clauson surveyed all 93 United States Attorneys to determine what a possible reduction in resources would have on their individual districts -- the United States Attorneys overwhelming responded that any cutback in agents would be devastating to their districts.

Inar Morics, Assistant Commissioner of Criminal Investigations, IRS, informed the Advisory Committee that the IRS was restructuring some of its districts in order to manage its resources more effectively across district boundaries. The Advisory Committee voiced their concern and were told that redistricting would not be nationwide.

Facing a tight budget year, Henry Hudson, Director of the Marshals Service, asked the United States Attorneys to notify them as early as possible when having to transport a prisoner or when expecting a high risk trial. Both of these measures would enable the Marshals to tighten up.

Director William Sessions of the Federal Bureau of Investigation, and his top officials, Joe Davis, Assistant Director-Legal Counsel and Larry Potts, Assistant Director, Criminal Investigations Division, continued to assure the Advisory Committee that although the FBI was operating with diminished resources, United States Attorneys' needs would be met.

### *Investigative Agency Subcommittee*

#### *FBI SAC Advisory Committee*

The Advisory Committee's Investigative Agency Subcommittee, chaired by Deborah Daniels, United States Attorney (Southern District of Indiana), has maintained its ongoing liaison with the FBI's SAC Advisory Committee discussing common concerns ranging from training to issues involving informants to cooperation with the offices of the Inspector General of various agencies. The Subcommittee members have been advised that the United States Attorneys may be witnessing more flexibility in the field in the future due to a change in the FBI's approach to target staffing levels.

#### *Internal Revenue Service*

The Investigative Subcommittee met with the IRS to discuss the desire of the IRS Audit Staff to have access to IRS investigative files (which may include Grand Jury material); the desire of United States Attorneys to see line authority for IRS agents and other reductions in bureaucracy at the IRS, including timely notification to United States Attorneys of the existence of criminal investigations at the IRS; and the strong support of the United States Attorneys for increased IRS CID resources. The United States Attorneys unanimously praise these agents and support their desire for increased staffing and line authority.

With the IRS and other Treasury Agencies, the Investigative Subcommittee also addressed such issues as forfeiture and equitable sharing; the reorganization of the Customs Service, which provides for line authority for criminal investigators and the capacity for greater responsiveness on the part of investigators; and informant issues.

## *Drug Enforcement Administration*

At the request of the Advisory Committee, the Drug Enforcement Administration (DEA) revised its policy concerning payment of awards to confidential informants in that before the DEA authorizes an award to any potential witness in a case which may be prosecuted by a United States Attorney's office, the United States Attorney will be given prior notice of that award, regardless of the amount. This will afford the United States Attorney's office the opportunity to express any concerns it may have about such an award. The United States Attorneys realize that they will not have veto power, but simply the opportunity to express concern where an award to a witness might provide serious difficulty in the prosecution of a particular case.

## *U.S. Marshals Service*

### *Short-term Witness Security Program*

The LEC/VW Subcommittee together with the Marshals Service and Jay Stephens, United States Attorney for the District of Columbia, worked to expand the Marshals short-term witness security program similar to the program that is available in the District of Columbia. A short-term witness security program is now in place which includes temporary housing, education and job placement.

---

# FINANCIAL LITIGATION

## *Affirmative Civil Enforcement Pilot Program*

In 1992, the Executive Office for United States Attorneys initiated a pilot program to enhance enforcement of civil monetary penalty statutes in the districts of Central California, Western New York and Middle Pennsylvania, specifically the handling of civil action suits in the false claims areas, health care fraud, controlled substances civil enforcement, environmental enforcement and qui tam action enforcement.

The program provided an additional attorney, paralegal, auditor/investigator and secretary to each one of the pilot districts (California received two attorneys) to work exclusively upon the enforcement of civil monetary penalty statutes, often referred to as affirmative civil litigation or affirmative civil enforcement.

The goal of the pilot program was to determine what the impact on collections would be if the United States Attorneys' offices received additional resources to enforce civil monetary penalty statutes. As a result of this project, there has been an increase in the number and amounts of civil judgments collected by the pilot districts.

Part of the project involved determining how cost-effective are certain causes of action in affirmative civil enforcement. The results indicate that the pilot program's United States Attorneys collected approximately \$7 million in civil penalty payments at a cost of approximately \$700,000. The cost to collect every dollar was ten cents, thus, for every dime invested, the United States Attorneys received a dollar.

### *Debt Collection*

In July more than 60 United States Attorneys attended a one-day executive session on financial litigation. The training heightened the United States Attorneys awareness of the importance of recovering civil debt, fines, and utilizing affirmative civil enforcement. This type of program for United States Attorneys has resulted in an increase in recovery of funds due the United States. During Fiscal Year 1992, United States Attorneys deposited the highest dollar figures since 1985 to the Crime Victims Fund.

#### *U.S. Marshal's Pilot Service Program*

Seven districts are currently participating in the Pilot Service Program. These districts have one or two investigators and administrative support people assigned to assist AUSAs with identifying and liquidating property and locating debtors. During the first few weeks the program was in operation, \$1.6 million was cleared from the database. Based on these statistics, for every \$3 collected with these investigators, \$1 was spent on training and program overhead. The program is such a success, that the Director of the Marshals Service has requested 80 new positions for Fiscal Year 1994 to support an additional 40 to 45 districts.

### *Non-Judicial Foreclosures*

A working group established to examine non-judicial foreclosure has drafted legislation which is currently being circulated to agencies for review. Based on figures provided by the working group, it is anticipated that the legislation could save the government \$75 million in costs. The foreclosure legislation could make significant decrease in the court dockets cross the nation, in keeping with President Bush's Executive Order.

### *Foreclosure Cases*

The Advisory Committee discussed with Frank Keating, General Counsel of Housing and Urban Development (HUD), ways to reduce the backlog of foreclosure cases in the United States Attorneys' offices.

## ***Debarment***

The Department of Justice in cooperation with the Department of the Treasury/Financial Management Service has instituted the Debt Alert Interactive Voice Response System (DAIVRS). The system utilizes an '800' telephone number and provides lenders with information on judgment debtors.

When the DAIVRS database currently has judgments existing since the initiation of the Nationwide Central Intake Facility (NCIF), it is planned to include judgments predating the NCIF. In order to accomplish this, the accuracy of the United States Attorneys' offices database must be verified. Plans are currently being made to reconcile the records and incorporate all districts into the system.

## ***National Fine Center***

The National Fine Center (NFC) is steadily progressing. To date, one district is operating and sixteen districts are scheduled for implementation. Ongoing coordination is planned between the Clerks of the Court, Probation Officers and United States Attorneys' offices to facilitate the NFC.

## ***Debtor Statement Program***

The Northern District of Iowa is currently piloting a program which utilizes coupons to enable the debtors to mail payments directly to the bank. Each month a statement is provided to the debtor which has a detachable coupon at the bottom. The debtor provides the coupon and the payment directly to the bank and deposit information is provided to the United States Attorney's Office weekly for posting. This relieves the offices of internal controls requirements. Several additional offices are scheduled to pilot the project in the fall of 1992.

## ***Training***

The Financial Litigation Staff has sponsored eleven training conferences during the year, training 674 students on various aspects of financial litigation. One hundred ninety instructors have been involved in these trainings. Over 70 districts have participated in Joint Training Sessions for AUSAs and probation officers on the collection of fines. Ongoing training is being held with the Bureau of Prisons in various locations.

The Financial Litigation Staff is examining the possibilities of conducting a specialized paralegal training program for collections paralegals. With the benefit of programs such as the National Fine Center and new debtor statement project, it is believed the paralegals will have time available for more sophisticated jobs.

---

## COMMUNICATIONS

**I**mproving communications between the Department of Justice and the United States Attorneys was a top priority for the Attorney General and the Advisory Committee this year. Paul McNulty, Director of Policy and Communication and Kristen Gear Deputy Director, Office of Public Affairs, worked with the Advisory Committee and the United States Attorneys to create a two-way flow of communication between the Department and the United States Attorneys. Improving communication was also a major theme at the United States Attorneys' Conference held in Orlando in March.

To keep the United States Attorneys informed of newsworthy events, an overnight news report was created by Lou DeFalaise, Counsel to the Director, Executive Office for United States Attorneys.

### Media Guidelines

One of the Advisory Committee's successes this year was revising the Department's Media Guidelines. The final draft was adopted by the Committee and forwarded to the Attorney General for consideration. The revised guidelines were the result of a joint effort between the Advisory Committee, the Media Working Group chaired by United States Attorney Steve Higgins (Eastern District of Missouri), Paul McNulty, Director of the Office of Policy and Communications, and Kristen Gear, Deputy Director, Office of Public Affairs.

---

## LEGISLATION

**P**aul McNulty, Director of the Office of Policy and Communication, Lee Rawls, Assistant Attorney General for the Office of Legislation Affairs, Lou DeFalaise, Counsel to the Director of the Executive Office for United States Attorneys, and United States Attorney Bob Edmunds, Chairman of the Criminal Issues Working Group, worked with the Advisory Committee and its subcommittees and other Department officials to propose legislation and to provide information to the Department and members of the United States Congress to assist them in the performance of their legislative duties.

There were two principal pieces of legislation of interest to the United States Attorneys in 1992: Public Corruption and Residency Requirement.

*(Public Corruption)*

The United States Attorneys have for several years been attempting to modernize the public corruption laws. At a prior United States Attorneys' Conference the United States Attorneys unanimously petitioned Congress to pass a Federal Debt Collection Act, which it did and to repair the damage done to Public Corruption enforcement by U.S. v. McNally. This was done in part with a limited legislative "fix" of the McNally problem. Since that time the United States Attorneys have suggested broader reforms to modernize the applicable statutes. The Senate has several times passed such legislation but it was not acted on by the House. Working through the Office of Legislation Affairs several attempts were made to secure legislative consideration of this topic. The latest was to request that it be attached to the Crime Bill in Conference. This did not occur and the final report of the Conference on the Crime Bill was not adopted.

*(Residency Requirements)*

At the request of then United States Attorney Wayne Budd (District of Massachusetts), Representative Barney Frank introduced a bill to modify the requirements that all Assistant United States Attorneys, except those in four districts, live in their district. This was intended to solve the problem of multi-state urban/suburban situations. The bill was filed late in the session. The pressure of committee business prevented it from being considered, but committee staff advised that if it is introduced early this coming year with the endorsement of the United States Attorneys it should receive favorable consideration.

*Other Legislative Initiatives*

The United States Attorneys also have been studying possible legislative proposals to deal with other problems such as the impact of "Restoration of Civil Rights" by states that adversely impact Federal Firearms prosecutions and the problems of gang violence. In addition, they cooperated with the Office of Legislative Affairs to support a number of department-wide initiatives, principally in the area of Weed and Seed and the proposed Crime Bill.

Additional legislative agenda items addressed this year:

- H.R. 4542, Anti-Car Theft Act of 1992, was signed into law on October 25, 1992. The carjacking legislation prohibits armed taking, or attempted taking of, a motor vehicle from another person by force and violence or by intimidation. There are two important features to note. First, the statute applies only to carjackings in which the defendant is armed with a firearm. Second, the interstate commerce nexus is established by the movement of the vehicle (and not the firearm) in interstate or foreign commerce.

- S 1002, Criminal Penalty to Avoid Payment of Arrearages in Child Support, was signed into law on October 25, 1992. The United States Attorneys are working with the Criminal Division to implement both the Carjacking Bill and Spousal bill.

- H.R. 2324, Incarcerated Witness Fees Act of 1992, was signed and became effective on October 14, 1992. This Act states that any witness who is incarcerated at the time testimony is given may not receive fees of allowances.

- H.R. 5488, Treasury-Postal Appropriations signed October 6, 1992. This bill adds Alcohol, Tobacco and Firearms, the Secret Service, and the Internal Revenue to the Treasury Asset Forfeiture Fund. Previously, only Customs and the Coast Guard were included in this fund, with other Treasury components receiving their allocations from the Department of Justice Asset Forfeiture Fund. This provision becomes effective Fiscal year 1994.

- S. 893, Criminal Penalties for Copyright Infringement was signed and effective October 28, 1992. This bill raises certain copyright infringements, including computer software, from a misdemeanor to a felony and sets new penalty levels.

- The Department's proposed legislative initiative on digital telephony is expected to be introduced in the next Congressional session. The United States Attorneys have supported FBI Director Session in his request for this important piece of legislation.

### *Criminal Issues Subcommittee*

The Criminal Issues Subcommittee also reviewed the following:

- Capitol Hill Police Jurisdiction Reform Act;
- Food Stamp Quality Control Amendments of 1992;
- Sales of Social Security Earnings Information;
- Federal Courts Administration Act of 1992: H.R. 6185;
- Financial Institutions Enforcement Improvement Act: H.R. 6048;
- Futures Trading Practices Act of 1992: H.R. 707;
- Federal Courts Study Committee Implementation Act of 1992: S 1569;
- Financial Institution Collection Improvement Act;
- Hate Crime Sentencing Enhancement Act: H.R. 4797;
- Animal Research Facilities Protection Act of 1991: S 544;
- United States-Flag Passenger Vessel Act of 1992: H.R. 5257;
- Revenue Act of 1992;
- False Claims Amendment Act of 1992: H.R. 4563;
- California-Mexico Border Drug Trafficking Reduction Act: H.R. 4134;
- Criminal Sanctions for Violation of Software Copyright;
- Draft criminal alien legislative initiatives; and,
- Professional and Amateur Sports Protection Act: S. 474.

## ***Congressional Inquiries***

The United States Attorneys' Offices, the Attorney General's Advisory Committee, its subcommittees and working groups, and the Executive Office for United States Attorneys, responded to thousands of requests for information or comments on legislation, legislative matters or specific inquiries by Congressional offices and Committees.

A few of the matters that required the greatest amount of time and resources in the field operations include:

- **Rocky Flats** -- This concerned the handling of the Rocky Flats case in Colorado. Thousands of work hours were spent responding to document requests and giving interviews or testimony by United States Attorneys' Offices, the Executive Office for United States Attorneys, and other Department of Justice component personnel.
- **October Surprise** -- This involved charges concerning delaying the release of American Hostages in Iran in October 1982. Several United States Attorneys' Offices and in particular the Southern District of New York and the Executive Office for United States Attorneys spent many hours assisting the Office of Legislative Affairs and the Criminal Division in this response. Responses were made both to the House and to the Senate.
- **Charges of Custom's Corruption in the Southwest** -- The Executive Office for United States Attorneys and the United States Attorney's Office for the Southern District of Texas, spent hundreds of hours working with the Office of Legislative Affairs and the Civil and Criminal Divisions on this matter in response to a hearing by a House Government Operations Subcommittee.
- **EPA** -- This matter is just commencing but is already requiring major efforts by the Executive Office for United States Attorneys as well as a number of Offices of the United States Attorneys to respond to a request by a subcommittee of the House Energy and Commerce Committee, and now the Judiciary Committee.

---

# **LAW ENFORCEMENT/ VICTIM WITNESS PROGRAM**

## *Review of the LECC/VW Program*

As the LECC/VW Program reached its ten-year mark, an LECC/VW Steering Committee was created to review and reevaluate the LECC/VW Program with an eye toward the direction it should take in the next five to ten years. The Steering Committee, chaired by Bill Roberts, United States Attorney (Central District of Illinois) found that the LECC Program has received high marks for constituent service and for appreciation for LECC/VW programs. Communication, coordination and cooperation flourish among the districts. The genius of the program appears to be its flexibility. The Steering Committee concluded that with the support and commitment of the United States Attorneys and the Investigative agencies, strong law enforcement and victim-witness leadership provided by the Executive Office for United States Attorneys, and increased resources for support staff, the LECC/VW Program should continue to prove to be one of the Department's most successful programs as it moves into the next decade.

## *District Law Enforcement Plans*

At the request of the Attorney General, all offices of the United States Attorneys worked with their individual state and local law enforcement agencies to review their district law enforcement plans. Review of our investigative and prosecutive priorities allows the United States Attorneys to address Department initiatives more effectively and to plan resources more realistically.

## *Grants*

The Office of Justice Programs continued to work with the United States Attorneys to increase the United States Attorneys' role in the grant process by providing continuous information to the districts on grants to be awarded in each district. The LEC/VW Subcommittee also prepared recommendations on the grant process.

## *Vehicle Window Tinting*

The Subcommittee presented to the Advisory Committee draft comments concerning the window tinting in motor vehicles prepared by the U.S. Department of Transportation. The language stated that any proposed rule permitting motor vehicles windows with line of sight light transmittance less than 60 percent seriously compromises driver and passenger safety, the safe operation of vehicles, and markedly reduces officer safety and must not be adopted. The Advisory Committee agreed and at its request Attorney General Barr wrote a letter to the head of Transportation who, in turn, reconsidered the proposed change.

## *Non-Federal Restitution*

The LEC/VW Subcommittee looked at what position United States Attorneys should take regarding non-federal restitution and recommended that although the law states that non-federal restitution is the responsibility of the Court, the LEC/VW Subcommittee is fully committed to assisting victims of crime and is very sympathetic to the plight of these victims. Therefore, they encouraged all United States Attorneys to provide assistance to the Court in the collection and disbursement of such restitution whenever possible.

The LEC/VW Subcommittee is working closely with the Financial Litigation Subcommittee, chaired by Chuck Larson, United States Attorney (Southern District of Iowa) to resolve the matter of non-federal restitution and to make recommendations via his subcommittee for necessary changes in the law.

## *Executive Working Group for Federal-State-Local Prosecutorial Relations*

The Executive Working Group (EWG) covers a wide spectrum of issues which cuts across jurisdictional, political and geographical lines. Its membership, representing the National District Attorneys Association (NDAA), the National Association of Attorneys General (NAAG), and the Department of Justice, continues to be an excellent vehicle of communication and consensus-building within the prosecutorial community and in which participation by the United States Attorneys is essential. Representing the United States Attorneys are J. William Roberts, (Central Illinois) and Chairman of the Advisory Committee, Tom Corbett, (Western Pennsylvania), Fred Foreman, (Northern Illinois), and Gene Shepard (Southern Iowa). This year the EWG discussed topics such as telemarketing fraud, weed and seed, the crime bill, to prosecutor relations with the American Bar Association.

---

# MANAGEMENT ENHANCEMENTS

## *Case Management*

The Case Management Subcommittee chaired by United States Attorney Tom Corbett (Western Pennsylvania) and the Executive Office for United States Attorneys continued to work towards the development of a Department Case Management System. Corbett who also serves as chairman of a Steering Committee was tasked to define the standards for the new case management system. A report setting forth the standards and agreements for this project was finalized and signed by all representatives of the litigating components of the Department of Justice. On November 6, 1992, the Deputy Attorney General endorsed the committee's report and commended the committee and its chair for this accomplishment.

## *Software Development*

At the request of the Advisory Committee, the Executive Office for United States Attorneys is creating a program to share software applications that have been developed in the field.

## *Management and Budget Subcommittee*

One of the most crucial duties of the Management and Budget Subcommittee is the compilation and review of the spring call initiatives from all United States Attorneys' offices in preparation for the 1993 budget requests for United States Attorney and the Executive Office for United States Attorneys (EOUSA). Further, subcommittee members worked with Advisory Committee leadership and the EOUSA in regard to testimony before the Justice Management Division, Office of Management and Budget, and Congress on the 1993 and 1994 budget requests.

### *AUSA/Supervisory AUSA/SLC Pay*

Due to the combined efforts of Jeff Howard, Principal Associate Deputy Attorney General, former chairman Tim Leonard of the Management and Budget Subcommittee, and Laurence S. McWhorter, Director of the Executive Office for United States Attorneys, a new pay plan for supervisory AUSAs and senior litigation counsel was approved by the Deputy Attorney General on May 22, 1992.

### *Awards*

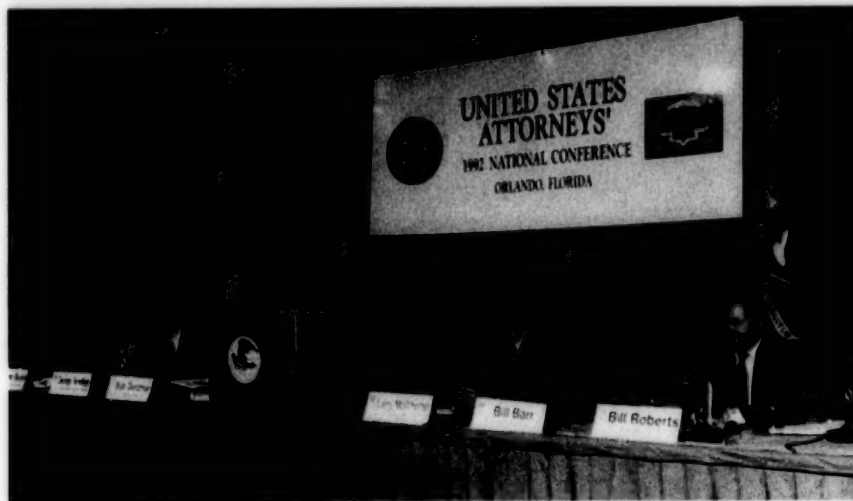
In the spring of 1991, the Office of Personnel Management issued interim rules on establishing a time-off awards program and an on-the spot awards program. The Department issued its guidance in early 1992 on both of these awards which allowed the Department of Justice to implement its own programs. As a result, the Management and Budget Subcommittee and the Executive Office for United States Attorneys, established two awards. The first is a Time-off Award which allows the granting of time off without loss of pay or charged to leave, as an incentive award. The second is an On-the-Spot Award which allows a person to receive up to \$250 on-the-spot for a special task that may have been performed. The Advisory Committee adopted both of these awards.

### *NFC Conversion*

The Executive Office for United States Attorneys and the Management and Budget Subcommittee worked closely with the Justice Management Division to successfully convert 9,725 employees of the offices of the United States Attorneys and the EOUSA to a new pay system under the National Finance Center. The new pay system became operation on November 12, 1992.

### *United States Attorneys' Conference*

The EOUSA, together with the Advisory Committee and the Middle District of Florida, conducted a successful United States Attorneys' Conference in March 1992. The conference focused on Violent Crime, Financial Litigation, Civil Justice Reform, Communications, and Financial Fraud and Affirmative Civil Litigation.



(left to right) Associate Attorney General Wayne A. Budd; Deputy Attorney General George J. Terwilliger, III; United States Attorney Robert W. Genzman (Middle Florida); Attorney General William P. Barr; Laurence S. McWhorter, Director, Executive Office for United States Attorneys; J. William Roberts, Chairman, Attorney General's Advisory Committee (United States Attorney, Central Illinois)

### *Conflict of Interest Certification*

In response to an interim regulation issued by the Office of Government Ethics, (OGE), that could require that all Assistant United States Attorneys be required to file an annual financial disclosure report, the Advisory Committee worked closely with the Legal Counsel of the Executive Office for United States Attorneys to develop an alternative approach.

---

## **SUBCOMMITTEE LISTING**

# **ATTORNEY GENERAL'S ADVISORY COMMITTEE OF UNITED STATES ATTORNEYS**

## **SUBCOMMITTEES**

### **Civil Issues Subcommittee**

Lee Thompson, District of Kansas, Chairman  
Karen Caldwell, Eastern District of Kentucky  
Richard Cullen, Eastern District of Virginia  
J. Michael Fitzhugh, Western District of Arkansas  
Tony M. Graham, Northern District of Oklahoma  
Jeffrey R. Howard, District of New Hampshire  
William D. Hyslop, Eastern District of Washington  
E. Montgomery Tucker, Western District of Virginia  
James Eldon Wilson, Middle District of Alabama  
Robert Q. Whitwell, Northern District of Mississippi, (Liaison)

### **Controlled Substance Subcommittee**

J.B. Sessions, III, Southern District of Alabama, Chairman  
Michael D. Crites, Southern District of Ohio  
Jerry Cunningham, Eastern District of Tennessee  
William A. Kolibash, Northern District of West Virginia  
Michael W. Norton, District of Colorado  
Harry A. Rosenberg, Eastern District of Louisiana  
Kenneth W. Sukhia, Northern District of Florida  
Ronald G. Woods, Southern District of Texas

### **Drug Abuse Prevention & Education Subcommittee**

Ronald D. Lahners, Chairman, District of Nebraska  
Daniel A. Bent, District of Hawaii  
Joseph S. Cage, Jr., Western District of Louisiana  
William C. Carpenter, Jr., District of Delaware  
Robert W. Genzman, Middle District of Florida  
David J. Jordan, District of Utah  
Charles H. Turner, District of Oregon  
Gene Shepard, Southern District of Iowa, (Liaison)

### **Environmental Crimes Subcommittee**

Dennis C. Vacco, Western District of New York, Chairman  
Richard D. Bennett, District of Maryland  
John E. Fryatt, Eastern District of Wisconsin  
Frederick J. Hess, Southern District of Illinois  
Stephen B. Higgins, Eastern District of Missouri  
Harry A. Rosenberg, Eastern District of Louisiana  
Ronald G. Woods, Southern District of Texas  
Robert J. Wortham, Eastern District of Texas  
Michael Chertoff, District of New Jersey, (Liaison)

**Financial Litigation Subcommittee**

Charles W. Larson, Northern District of Iowa, Chairman  
Edgar W. Ennis, Middle District of Georgia  
Joyce J. George, Northern District of Ohio  
John Simmons, District of South Carolina  
Lee Thompson, District of Kansas  
James J. West, Middle District of Pennsylvania  
Joseph M. Whittle, Western District of Kentucky  
Marvin Collins, Northern District of Texas, (Liaison)

**Indian Affairs Subcommittee**

Linda A. Aker, District of Arizona, Chairman/Liaison  
Thomas J. Ashcraft, Western District of North Carolina  
John E. Fryatt, Eastern District of Wisconsin  
Thomas B. Heffelfinger, District of Minnesota  
Doris M. Poppler, District of Montana  
Kevin Potter, Western District of Wisconsin  
John W. Raley, Jr., Eastern District of Oklahoma  
Kevin Schieffer, District of South Dakota  
Don Svet, District of New Mexico

**International Relations Subcommittee**

D. Michael Crites, Southern District of Ohio, Chairman  
Robert W. Genzman, Middle District of Florida  
Charles W. Larson, Northern District of Iowa  
Otto G. Obermaier, Southern District of New York  
J.B. Sessions III, Southern District of Alabama  
Jay Stephens, District of Columbia  
J. William Roberts, Central District of Illinois  
Joseph M. Whittle, Western District of Kentucky

**Investigative Agency Subcommittee**

Deborah J. Daniels, Southern District of Indiana, Chairman  
Richard Cullen, Eastern District of Virginia  
Ron Ederer, Western District of Texas  
J. William Roberts, Central District of Illinois  
Joe D. Whitley, Northern District of Georgia  
Thomas W. Corbett, Jr., Western District of Pennsylvania, (Liaison)

**Law Enforcement Coordinating Committee/Victim Witness Subcommittee**

George L. Phillips, Southern District of Mississippi, Chairman  
Linda Akers, District of Arizona  
Charles A. Banks, Eastern District of Arkansas  
Michael W. Carey, Southern District of West Virginia  
Richard S. Cohen, District of Maine  
Deborah J. Daniels, Southern District of Indiana  
Ronald F. Ederer, Western District of Texas  
Michael J. Norton, District of Colorado  
Richard A. Stacy, District of Wyoming  
Gene Shepard, Southern District of Iowa, (Liaison)

**National Environmental Enforcement Council**

Dennis C. Vacco, Western District of New York  
James J. West, Middle District of Pennsylvania

**Obscenity and Child Exploitation Subcommittee**

Margaret P. Currin, Eastern District of North Carolina, Chairman  
Edward G. Bryant, Western District of Tennessee  
Michael J. Norton, District of Colorado  
John W. Raley, Jr., Eastern District of Oklahoma  
Kenneth W. Sukhia, Northern District of Florida  
Robert Q. Whitwell, Northern District of Mississippi  
Jeffrey R. Howard, District of New Hampshire (Liaison)

**Office Management & Budget Subcommittee**

Tom Corbett, Western District of Pennsylvania, Chairman  
Jean Paul Bradshaw, II, Western District of Missouri  
William C. Carpenter, Jr., District of Delaware  
Deborah J. Daniels, Southern District of Indiana  
Charles W. Larson, Northern District of Iowa  
Mike McKay, Western District of Washington  
Jay B. Stephens, District of Columbia  
J. William Roberts, Central District of Illinois  
Joseph M. Whittle, Western District of Kentucky

**Organized Crime & Violent Crime Subcommittee**

Joe D. Whitley, Northern District of Georgia, Chairman  
Lourdes G. Baird, Central District of California  
Michael Chertoff, District of New Jersey  
Joyce J. George, Northern District of Ohio  
Thomas Heffelfinger, District of Minnesota  
Andrew J. Maloney, Eastern District of New York  
Stephen J. Markman, Eastern District of Michigan  
John Simmons, District of South Carolina  
Dennis C. Vacco, Western District of New York  
Michael Chertoff, District of New Jersey (Liaison)

**Public Corruption Subcommittee**

Michael W. Carey, Southern District of West Virginia, Chairman  
Richard D. Bennett, District of Maryland  
Fred L. Foreman, Northern District of Illinois  
Raymond P. Lamonica, Middle District of Louisiana  
Daniel F. Lopez-Romo, District of Puerto Rico  
George L. O'Connell, Eastern District of California  
Harry A. Rosenberg, Eastern District of Louisiana  
Jay B. Stephens, District of Columbia

**Sentencing Guidelines Subcommittee**

Robert H. Edmunds, Middle District of North Carolina, Chairman  
Michael M. Baylson, Eastern District of Pennsylvania  
Margaret P. Currin, Eastern District of North Carolina  
Deborah J. Daniels, Southern District of Indiana  
Stephen D. Easton, District of North Dakota  
Charles H. Turner, District of Oregon  
Jean Paul Bradshaw, Western District of Missouri, (Liaison)

**Southwest Regional Task Force Coordination**

Ronald F. Ederer, Western District of Texas, Chairman  
William Braniff, Southern District of California  
Ronald G. Woods, Southern District of Texas  
Linda A. Akers, District of Arizona, (Liaison)

**White Collar Crime Subcommittee**

William C. Carpenter, District of Delaware, Chairman  
Edward G. Bryant, Western District of Tennessee  
Maurice O. Ellsworth, District of Idaho  
Stephen B. Higgins, Eastern District of Missouri  
Jack Selden, Northern Alabama  
Joe D. Whitley, Northern District of Georgia  
Marvin Collins, Northern District of Texas, (Liaison)

**Bank Fraud Working Group**

Richard Bennett, District of Maryland

**Computer Office Applications Working Group**

William Braniff, Southern District of California, Chairman  
Daniel A. Bent, District of Hawaii  
William C. Carpenter, District of Delaware  
Robert J. Wortham, Eastern District of Texas

**Criminal Fines Working Group**

Michael M. Baylson, Eastern District of Pennsylvania

**Criminal Rules Working Group**

Robert H. Edmunds, Middle District of North Carolina  
Richard D. Bennett, District of Maryland  
Stephen J. Markman, Eastern District of Michigan  
Joyce George, Northern District of Ohio

**Executive Working Group (Federal, State and Local Prosecutors)**

Gene W. Shepard, Southern District of Iowa  
J. William Roberts, Central District of Illinois  
Thomas W. Corbett, Western District of Pennsylvania  
Fred Foreman, Northern District of Illinois

**Executive Review Board (OCDETF)**

Michael J. Norton, District of Colorado  
J. William Roberts, Central District of Illinois  
J.B. Sessions, III, Southern District of Alabama

**Media Relations Working Group**

Stephen B. Higgins, Eastern District of Missouri (Chairman)  
Mike Baylson, Eastern District of Pennsylvania  
Mike McKay, Western District of Washington  
Fred Foreman, Northern District of Illinois

**Operation Alliance Working Group**

Ronald F. Ederer, Western District of Texas, Liaison

**Operation Weed and Seed Working Group**

Michael Baylson, Eastern District of Pennsylvania, Chairman  
Jean Paul Bradshaw, II, Western District of Missouri  
Ed Bryant, Western District of Tennessee  
Michael Chertoff, District of New Jersey  
Fred Foreman, Northern District of Illinois  
John Hoehner, Northern District of Indiana  
Thomas W. Corbett, Jr., Western District of Pennsylvania, (Liaison)

**Securities and Commodities Fraud Working Group**

Otto G. Obermaier, Southern District of New York  
Fred L. Foreman, Northern District of Illinois

**Veterans Re-employment Working Group**

Charles W. Larson, Northern District of Iowa

**U.S. Attorney Representative to BOP Issues**

Frederick J. Hess, Southern District of Illinois

**U.S. Attorney Case Management Working Group**

Thomas W. Corbett, Jr., Western District of Pennsylvania, Chairman

Jean Paul Bradshaw, II, Western District of Missouri

William C. Carpenter, Jr., District of Delaware

Deborah J. Daniels, Southern District of Indiana

Michael J. Norton, District of Colorado

---

**MEMBERS OF THE ATTORNEY  
GENERAL'S ADVISORY COMMITTEE:  
1973 - 1992**

**MEMBERS OF THE ATTORNEY GENERAL'S ADVISORY COMMITTEE  
OF UNITED STATES ATTORNEYS**

**1973 - 1992**

**Alabama, Middle District**

Ira DeMent..... 1975-77

**Alabama, Northern District**

J.R. Brooks..... 1980-81

Frank W. Donaldson..... 1984-88

**Alabama, Southern District**

J. B. Sessions, III..... 1987-89

**Alaska**

**Arizona**

William C. Smitherman... 1973-77

Stephen M. McNamee.... 1987-89

(Vice Chairman-1988-89)

A. Melvin McDonald..... 1981-83

Linda Akers..... 1990-93

**Arkansas, Eastern District**

George W. Proctor..... 1981-82

(Chairman-1982)

(Vice Chairman-1981)

**Arkansas, Western District**

**California, Northern District**

James L. Browning, Jr... 1973-76

G. William Hunter..... 1980-81

Joseph P. Russoniello... 1989-90

**California, Central District**

Andrea Ordin..... 1978-81

(Chairman-1980)

(Vice Chairman-1979)

Stephen S. Trott..... 1983

Robert C. Bonner..... 1987-89

Lourdes G. Baird..... 1990-92

(Vice Chairman-1991-92)

**California, Southern District**

Peter K. Nunez..... 1983-85

(Vice Chairman-1985)

**California, Eastern District**

Donald B. Ayer..... 1985-86

David F. Levi..... 1988-90

**Colorado**

Joseph F. Dolan..... 1978-81

**Connecticut**

Richard Blumenthal..... 1980-81

Alan F. Nevas..... 1984

**Delaware**

Ralph F. Keil..... 1973-75

James W. Garvin, Jr..... 1981

William C. Carpenter..... 1987-90

**District of Columbia**

Earl J. Silbert..... 1975-79

**Ex Officio:**

Charles F.C. Ruff..... 1980-82

Stanley S. Harris..... 1982-83

Joseph E. diGenova..... 1983-87

Jay B. Stephens..... 1988--

**Florida, Northern District**

K. Michael Moore..... 1988-89

**Florida, Southern District**

**Florida, Middle District**

**Georgia, Southern District**

R. Jackson B. Smith..... 1973-75

William T. Moore..... 1978-81

**Georgia, Middle District**

Joe D. Whitley..... 1983-85

**Georgia, Northern District**

**Guam**

**Hawaii**

Dan Bent..... 1985-88  
(Vice Chairman-1988)

**Idaho****Illinois, Northern District**

James R. Thompson, Jr. 1973-75  
Samuel K. Skinner..... 1976-77  
Thomas P. Sullivan..... 1980-81  
Anton R. Valukas..... 1987-90  
Dan K. Webb..... 1981-84

**Illinois, Central District**

J. William Roberts..... 1989-92  
(Chairman-elect-1991)  
(Chairman-1992)

**Illinois, Southern District**

Frederick J. Hess..... 1984-87

**Indiana, Northern District**

James G. Richmond..... 1987-90  
(Chairman-1989-90)

**Indiana, Southern District**

Virginia D. McCarty..... 1977-81  
Sarah Evans Barker..... 1981-84  
John D. Tinder..... 1985-87  
(Vice Chairman-1986-87)  
Deborah J. Daniels..... 1988-91  
(Vice Chairman-1990-91)

**Iowa, Southern District**

Roxanne B. Conlin..... 1978-81  
Gene W. Shepard..... 1991-94

**Iowa, Northern District**

Evan L. Hultman..... 1975  
Charles W. Larson..... 1987-90

**Kansas**

Robert J. Roth..... 1973-75

**Kentucky, Western District**

Joseph M. Whittle..... 1988-91  
(Chairman-elect-1990)  
(Chairman-1991)

**Kentucky, Eastern District****Louisiana Eastern District**

John Volz..... 1986-87  
1987-90

**Louisiana, Western District****Louisiana, Middle District****Maine**

Richard S. Cohen..... 1981-84

**Maryland**

Russell T. Baker, Jr..... 1980-81

**Massachusetts**

Edward F. Harrington..... 1977-80  
William F. Weld..... 1984-86  
(Chairman-1986)  
Wayne A. Budd..... 1989-92  
(Vice Chairman-1991)

**Michigan, Eastern District**

Ralph B. Guy, Jr..... 1973-76  
(Chairman-1975-76)  
(Vice Chairman-1974)

**Michigan, Western District**

John A. Smietanka..... 1982-83  
(Vice Chairman-1983)

**Minnesota**

Robert G. Renner..... 1975-77  
James Rosenbaum..... 1984-85

**Mississippi, Southern District**

George L. Phillips..... 1981-82  
1988-91

**Mississippi, Northern District**

H. M. Ray..... 1973-77  
(Chairman-1976-77)  
Robert Q. Whitwell..... 1991-94

**Missouri, Western District**

Bert C. Hum..... 1973-77  
Robert G. Ulrich..... 1985-86  
(Chairman-1986-89) 1986-89  
Jean Paul Bradshaw, II.... 1991-94

**Missouri, Eastern District**

Thomas E. Dittmeier..... 1982-83

**Montana****Nebraska****Nevada****New Hampshire**

Jeffrey R. Howard..... 1990-93

**New Jersey**

Robert N. Del Tufo..... 1978-80

Michael Chertoff..... 1991-94

**New Mexico**

Victor R. Ortega..... 1973-78

(Chairman-1977-78)

R.E. Thompson..... 1980-81

(Chairman-1981)

Vice Chairman-1981)

**New York, Western District**

Salvatore R. Martoche..... 1983-85

(Chairman-1985)

(Vice Chairman-1984)

**New York, Eastern District**

Robert A. Morse..... 1973

Andrew J. Maloney..... 1987-89

**New York, Southern District**

Paul J. Curran..... 1975

Robert B. Fiske, Jr..... 1976-80

(Chairman-1978-79)

Otto Obermeier..... 1990-93

**New York, Northern District****North Carolina, Middle District**

William L. Osteen..... 1973

Henry M. Michaux..... 1977-81

Kenneth S. McAllister..... 1984-86

(Vice Chairman-1986)

**North Carolina, Eastern District**

Thomas P. McNamara..... 1975-76

Samuel T. Currin..... 1982

**North Carolina, Western District****North Dakota**

Rodney S. Webb..... 1985-86

(Vice Chairman-1986)

**Ohio, Northern District**

Frederick M. Coleman..... 1976-77

**Ohio, Southern District**

James C. Cissell..... 1981-82

**Oklahoma, Northern District**

Francis A. Keating, II..... 1981-83

(Chairman-1983)

(Vice Chairman-1982)

**Oklahoma, Western District**

Timothy D. Leonard..... 1990-92

**Oklahoma, Eastern District****Oregon**

Sidney Lezak..... 1977-80

**Pennsylvania, Eastern District**

Robert E. J. Curran..... 1975-76

Michael M. Baylson..... 1992-95

**Pennsylvania, Western District**

Richard L. Thornburgh..... 1973-75

J. Alan Johnson..... 1982-84

(Chairman-1984)

Thomas W. Corbett..... 1990-93

(Chairman-elect-1992)

**Pennsylvania, Middle District**

David Dart Queen..... 1984-85

**Puerto Rico****Rhode Island**

Lincoln C. Almond..... 1973-75

1976-78

**South Carolina**

Thomas E. Lydon..... 1977-80

Henry D. McMaster..... 1981-82

E. Bart Daniel..... 1989-92

**Tennessee, Middle District**

Charles H. Anderson..... 1973-77

Joe B. Brown..... 1985-87

(Vice Chairman-1986-87)

**Tennessee, Western District**

W. J. Michael Cody..... 1978-80

**Tennessee, Eastern District**

John H. Cary..... 1980-81

John W. Gill, Jr..... 1983-85  
(Vice Chairman-1985)**Texas, Western District**

John E. Clark..... 1976-77

Edward C. Prado..... 1981-83

Helen M. Eversberg..... 1985-86

**Texas, Northern District**

Kenneth J. Mighell..... 1978-81

Marvin Collins..... 1989-92

**Texas, Southern District****Texas, Eastern District****Utah**

Ronald L. Rencher..... 1981

Brent D. Ward..... 1984-87  
(Vice Chairman-1986)

David J. Jordan..... 1992-95

**Vermont**William B. Gray..... 1977-81  
(Chairman-1979)

(Vice Chairman-1978-79)

George J. Terwilliger..... 1988-91  
(Vice Chairman-1989-90)**Virgin Islands**

James W. Diehm..... 1984-87

**Virginia, Eastern District**

Elsie L. Munsell..... 1982-83

Henry E. Hudson..... 1987-90

Richard Cullen..... 1992-95

**Virginia, Western District****Washington, Eastern District**

Dean C. Smith..... 1973-77

(Chairman-1973-74)

John Lamp..... 1984-86

**Washington, Western District**

Stan Pitkin..... 1975-76

Mike McKay..... 1990-93  
(Vice Chairman-1991-92)**West Virginia, Southern District**

Robert B. King..... 1980-81

(Vice Chairman-1981)

Michael W. Carey..... 1992-95

**West Virginia, Northern District****Wisconsin****Wyoming**

Richard A. Stacy..... 1981-84

**END**

**FILMED**

**4 / 19 / 93**